

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

DEC 30 2021

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

CORONAVIRUS REPORTER; et al.,

Plaintiffs-Appellants,

and

JEFFREY D. ISAACS, Dr.,

Plaintiff,

v.

APPLE, INC.,

Defendant-Appellee,

and

FEDERAL TRADE COMMISSION,

Defendant.

No. 21-17123

D.C. No. 3:21-cv-05567-EMC  
Northern District of California,  
San Francisco

ORDER

A review of this court's docket reflects that the filing and docketing fees for this appeal remain due. Within 21 days after the date of this order, appellants shall pay to the district court the \$505.00 filing and docketing fees for this appeal and file in this court proof of such payment. Failure to pay the fees will result in the automatic dismissal of the appeal by the Clerk for failure to prosecute. *See* 9th Cir. R. 42-1.

Furthermore, the court's records reflect that appellants timely filed motions listed in Federal Rule of Appellate Procedure 4(a)(4) before and after filing the notice of appeal, and that those motions remains pending. Accordingly, if appellants pay the filing fees for this appeal, appellate proceedings other than mediation shall be held in abeyance pending the district court's resolution of the pending motions. *See Leader Nat'l Ins. Co. v. Indus. Indem. Ins. Co.*, 19 F.3d 444, 445 (9th Cir. 1994); *Tripathi v. Henman*, 845 F.2d 205, 206 (9th Cir. 1988).

Within 7 days after the district court's ruling on the pending motions, appellants shall notify this court in writing of the ruling and shall advise whether appellants intend to prosecute this appeal.

To appeal the district court's ruling on the post-judgment motions, appellants must file an amended notice of appeal within the time prescribed by Federal Rule of Appellate Procedure 4.

The Clerk shall serve this order on the district court.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT

By: Alex Christopher  
Deputy Clerk  
Ninth Circuit Rule 27-7